

Initial Review  
**BOX AF**

RECEIVED

MAY - 1 1997

GROUP 1500

Box AF  
Response Under 37 CFR 1.116  
Expedited Procedure

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*Be*  
5-2-97

In re the application of: Jim APPINO et al.

Serial No.: 08/574,689

Group Art Unit: 1502

Filed: December 19, 1995

Examiner: R. Bawa

For: DEVICE FOR DISPENSING A THERAPEUTIC OR COSMETIC SUBSTANCE, THE INERT VEHICLE OF WHICH IS A VOLATILE POLYDIORGANOSILOXANE, AND COMPOSITION INTENDED TO BE USED IN THE DEVICE

**AMENDMENT UNDER 37 CFR 1.116**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Applicants submit the present Amendment in response to the Office Action mailed January 29, 1997.

IN THE SPECIFICATION

Please change the title to read: --DEVICE FOR DISPENSING A THERAPEUTIC OR COSMETIC SUBSTANCE ONTO THE SKIN AND A METHOD OF SKIN TREATMENT--.

IN THE CLAIMS

**10 (amended).** A device suitable for dispensing a composition onto the skin in the form of aerosol particles, comprising a container holding the composition, a flow valve extending into said container, and a means of propulsion, wherein the composition [comprises] consists essentially of, in percentage by weight:

- 75 to 95% of hexamethyldisiloxane,
- 0.01 to 15% of a therapeutic agent or cosmetic substance,
- 0 to 10% of a thixotropic agent, and



Initial Review  
**BOX AF**

RECEIVED

MAY - 1 1997

GROUP 1500

Box AF  
Response Under 37 CFR 1.116  
Expedited Procedure

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: the application of: Jim APPINO et al.

RECEIVED

MAY - 1 1997

Serial No.: 08/574,689 Group Art Unit: 1502

Filed: December 19, 1995 Examiner: R. Bawa

GROUP 1500

For: DEVICE FOR DISPENSING A THERAPEUTIC OR COSMETIC  
SUBSTANCE, THE INERT VEHICLE OF WHICH IS A VOLATILE  
POLYDIORGANOSILOXANE, AND COMPOSITION INTENDED TO BE USED  
IN THE DEVICE

TRANSMITTAL

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is an **amendment under 37 CFR 1.116** in the  
above captioned application.

  X   No additional fee is required.

       Please charge Deposit Account No. 06-1358 in the  
amount of \$\_\_\_\_\_. A duplicate of this sheet is  
attached.

       A check in the amount of \$ is attached for: .

  X   If a Petition for Extension of Time is necessary and the  
Petition and/or the check is not enclosed, this will act as  
the Petition and applicant herewith petitions the  
Commissioner to extend the time for response and charge any  
fees necessary under 37 CFR 1.17 (a)-(d) to Deposit Account  
No. 06-1358. The Commissioner is also authorized to charge  
payment of any other additional fees associated with this  
communication or credit any overpayment to Deposit Account  
No. 06-1358. A duplicate of this sheet is attached.

Respectfully submitted,

William E. Player  
Reg. No. 31,409

Jacobson, Price, Holman & Stern, PLLC  
400 Seventh Street, N.W.  
Washington, D.C. 20004  
Tel.: (202) 638-6666  
Atty. Dkt. No.: 5023/P58317A  
April 29, 1997